

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: David Justin Ross et al.

Serial No. 10/003,719

Examiner: Zia, Syed

Confirmation No. 2644

Filed: October 30, 2001

Group Art Unit: 2131

For: Verification Engine For User Authentication

Date: March 6, 2009

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF  
PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed October 6, 2008 finally rejecting claims 1, 3-6, and 8-21. The item(s) checked below are appropriate:

**1. STATUS OF APPLICANT**

This application is on behalf of

☒ a small entity

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 CFR 41.20(b)(1) the fee for filing the Notice of Appeal is:

☒ a small entity \$270.00

**Notice of Appeal fee due**

**3. EXTENSION OF TERM**

NOTE: The time periods set forth in 37 CFR 1.191 are subject to the provision of #1.136 for patent applications 37 CFR 1.191(d). But see 37 CFR 1.645 for extension of time in interference proceedings and 37 CFR 1.550(c) for extension of time in reexamination proceedings).

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- (a) ☒ Applicant petitions for an extension of time under 37 CFR 1.17 (a)-(d) for the total number of months checked below:

Extension Fee:

	<u>Months</u>	<u>Small Entity</u>
<input type="checkbox"/>	one month	\$
<input checked="" type="checkbox"/>	two months	\$ 245.00
<input type="checkbox"/>	three months	\$
<input type="checkbox"/>	four months	\$

If an additional extension of time is required, please consider this a petition therefor.

Extension fee due with this request

or

- (b) ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**4. TOTAL FEE DUE**

Notice of Appeal fee \$ 270.00

Extension fee (if any) \$245.00

**TOTAL FEE DUE**

**\$ 515.00**

**5. FEE PAYMENT via EFS**

**Customer No. 73552**

Respectfully submitted,  
STOLOWITZ FORD COWGER LLP

/MICAH D. STOLOWITZ/  
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Certificate of Mailing or Transmission

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted to the USPTO via the EFS-Web electronic filing system on the date set forth below.

/ Micah D. Stelowitz /

Date: March 6, 2009